

**MINUTES OF THE REGULAR MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF BARRINGTON
Monday, February 9th, 2004**

CALL TO ORDER

The Regular Meeting of the President and Board of Trustees was called to order by President Reagle at 8:07p.m., in the Village Board Room, 200 South Hough Street, Barrington, Illinois . Reverend Daniel Spike of the Presbyterian Church led the pledge of allegiance and then gave the invocation.

ROLL CALL

Upon roll being called the following answered present: Trustees Karen Darch, Jack Schaefer, Beth Raseman, Jeanne Yeagley, Paul Hunt, Jim Daluga; President Marshall Reagle. Also present were: Village Clerk Ron Koppelman, Director of Administrative Services Denise Pieroni, and Village Attorney Ed Springer.

READING OF AGENDA

President Reagle read the Agenda.

APPROVAL OF MINUTES

Minutes of the November 24, 2003 Regular Meeting of the Corporate Authorities

MOTION: A motion was duly made by Trustee Schaefer and seconded by Trustee Darch to approve the minutes of the November 24, 2003 Regular Meeting of the Corporate Authorities as presented.

Discussion was then held on recommended changes previously presented by Trustee Yeagley.

MOTION TO CALL THE VOTE: A motion was duly made by Trustee Raseman and seconded by Trustee Darch to call the vote to approve the minutes of the November 24, 2003 Regular Meeting of the Corporate Authorities as presented.

ROLL CALL ON MOTION TO CALL THE VOTE: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed and the minutes approved.

ROLL CALL ON ORIGINAL MOTION: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed and the minutes approved.

PERSONS TO BE HEARD FROM THE FLOOR – CITIZEN'S REGISTRATION/COMMENTS

President Reagle opened the floor to those wishing to address the Corporate Authorities.

Linda Hovde of 968 Williamsburg Park commented on her support of using the Jewel Tea Property for open park space as opposed to using the Jewel Tea Building for office space or as a museum.

Maureen Roberts of 991 Commonwealth Ct commented on the actions by the Park District to listen to all sides of the debate over the use of the Jewel Tea Property and the buildings that currently exist on that property. Ms. Roberts urged the Board not to back down from the lawsuit filed against the Village.

Mary Jo Schauer of 21204 N Lake Zurich Rd commented that she is disappointed by the actions taken by The Citizens for the Greater Barrington Area Community Center to prevent the Park District from turning the Jewel Tea Property into a park.

Peg Cullen of 987 Bosworth Field commented that she is frustrated by the fact that residents of the Village are paying for legal fees that are being incurred by both the Park District and the Village due to this issue. Ms. Cullen added figures that she estimates the Park District is paying in increased costs due to the delay in construction. Ms. Cullen urged The Citizens for the Greater Barrington Area Community Center to end their efforts to save the Jewel Tea Building and urged the Board to stay the course in their support of open space at the Jewel Tea Property.

Jim Perille of 514 N Lakeshore Dr commented on the history of events surrounding the Jewel Tea Property and that the community center concept isn't practical.

Terry Jennings, Executive Director of the Barrington Park District, 235 Lions Dr commented on recent articles regarding the listing of the Jewel Tea Building on the Historical Register and sought to clarify what criteria the building qualifies for and what criteria the building does not qualify for such as architectural significance. Ms. Jennings commented on the work that was done to preserve the history of the building in pictures and in print.

REPORTS OF VILLAGE OFFICIALS

VILLAGE PRESIDENT'S REPORT

President Reagle commented on a recent email he received regarding how a democracy evolves. President Reagle went on to comment on open positions on various Village Boards and Commissions and urged residents to contact him if they were interested in serving. He then encouraged all residents to get involved in Village government.

STAFF REPORTS

Director of Administrative Services Denise Pieroni commented on the revisions to various items included on the Consent Agenda noting that copies had been provided to Board members at the dais. Ms. Pieroni added that Jeff O'Brien, Acting Senior Planner, and Jim Arie, Fire Chief would be addressing the Board on matters relating to items included on the Agenda.

Jeff O'Brien commented on the purpose of the proposed fee in-lieu of parking and how the staff intended to structure this provision.

Chief Arie commented on the need for the purchase of a new fourth ambulance. He advised the Board that the bid price for the ambulance was under the budget by over \$11,000 and lower than the bid prices received by the Northwest Municipal Conference. Chief Arie went on to comment on the purchase of various pieces of safety equipment and clarified the terms used to describe the equipment. Chief Arie concluded by providing an update on the status of the hiring of staff for the third fire station and forthcoming changes in reporting on activities of the Public Safety personnel including average response times for emergency calls.

Clarification on some of the equipment was requested by several Trustees

Chief Arie was then thanked for reporting the results and Public Safety personnel were commended for achieving an average response time to emergency calls within the Village of less than 4 minutes.

President Reagle added that the Have A Heart Food Drive was Saturday, February 14th at the Public Safety Building at 400 Northwest Highway.

VILLAGE CLERK'S REPORT

Announcement of President Reagle's Non-Signature and Effective Date of Ordinance No. 04-3120 (Amending the Termination of the Municipal Utility Tax). The Village Clerk announced that since President Reagle did not return Ordinance No. 04-3120 (Amending the Termination of the Municipal Utility Tax) with his written objections within the designated time required by law, the Ordinance became effective despite the absence of the President's signature.

Announcement of President Reagle's Non-Signature and Effective Date of Ordinance No. 03-3119 (Amending the Termination Date of the Municipal Electric Utility Tax). The Village Clerk announced that since President Reagle did not return Ordinance No. 04-3119 (Amending the Termination of the Municipal Utility Tax) with his written objections within the designated time required by law, the Ordinance became effective despite the absence for the President's signature.

COMMITTEE REPORTS

ADMINISTRATIVE SERVICES/FINANCE COMMITTEE

Trustee Darch reported that legal bills were reviewed by the Committee and were being recommended for payment, noting that legal bills resulting from defense in the litigation surrounding the Jewel Tea Property have surpassed \$10,000.00. Trustee Darch then advised the Board of the Committee's review of the most recent bill submitted by Ancel Glink and the position taken by the Committee relative to its payment. She noted that the Committee also considered a request from the Barrington Area Fourth of July Celebration Committee for help in funding their event and were recommending that the Board consider a donation of approximately \$1,000 to this Committee. Trustee Darch noted that other items discussed and recommended included the policy for hiring and discharge of certain employees by the Corporate Authorities, the reorganization of the Administrative Services Department, noting that this reorganization was expected to save money and the use of hotel / motel tax to support events in the Village Center. Trustee Darch then commented on November sales tax receipts, noting that they were 29% percent higher than the receipts in November of the previous year. She also noted that Fiscal Year 2003 was projected to end in a positive position.

PLANNING & ZONING & ECONOMIC DEVELOPMENT COMMITTEE

Trustee Yeagley reported that the Village Newsletter contains an error in meeting dates. She advised the Board that PEZD would not be meeting in February, noting that the meeting of this Committee was scheduled for March 16th.

PUBLIC SAFETY COMMITTEE

Trustee Hunt reported that the Committee has not met but commended Chief Arie, Director of Administrative Services Denise Pieroni and Staff for their work in responding to the needs of the Barrington Countryside Fire Protection District.

PUBLIC WORKS COMMITTEE

Trustee Schaefer reported that the Committee was scheduled to meet on Monday February 23rd.

CONSENT AGENDA Pursuant to 65 ILCS 5/3.1-40-40, a single roll call vote of the Village Board of Trustees and the President on a group of ordinances, resolutions, orders, and/or motions.

President Reagle asked if anyone wished to have any items removed from the Consent Agenda. It was requested that Item 5i be removed from the Consent Agenda to be taken up under separate consideration.

MOTION: A motion was duly made by Trustee Daluga and seconded by Trustee Raseman to adopt and create a Consent Agenda, consisting of Items 5a, 5b, 5c, 5d, 5e, 5f, 5g, and 5h.

For the benefit of the public, President Reagle listed the following items to be included on the Consent Agenda.

- 5a. MOTION:** To Direct Staff to Initiate an Amendment to the Barrington Zoning Ordinance with Respect to Parking Fee-in-Lieu Regulations
- 5b. MOTION TO RECEIVE AND PLACE ON FILE** a Recommendation from the Zoning Board of Appeals Regarding Hertz Corporation (316 West Northwest Highway) Special Use
- 5c. RESOLUTION #04-2946:** Authorizing and Awarding a Contract for the Purchase of One (1) New, Elgin, Pelican P, Street Sweeping Machine, Per Proposal
- 5d. RESOLUTION #04-2947:** Authorizing and Approving the Purchase of One (1), New 2004 Current Model, Type I Ambulance and Chassis
- 5e. RESOLUTION #04-2948:** Authorizing a Waiver of Competitive Bids and Approving the Purchase of a Raptor P-16 Rescue Tool
- 5f. RESOLUTION #04-2949:** Authorizing a Waiver of Competitive Bids and Approving the Purchase of Four (4) MSA Custom 4500 Air Packs

5g. RESOLUTION #04-2950: Authorizing a Waiver of Competitive Bids and Approving the Purchase of One Zoll M-Series 12-Lead Cardiac Monitor Defibrillator

5h. RESOLUTION #04-2951: Authorizing and Approving an Award of Contract to Burns and McDonnell Engineering

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, aye. President Reagle declared the motion to adopt and create the Consent Agenda passed unanimously.

MOTION: A motion was duly made by Trustee Schaefer and seconded by Trustee Raseman to approve the Consent Agenda consisting of Items 5a, 5b, 5c, 5d, 5e, 5f, 5g, and 5h.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye; President Reagle, aye. President Reagle declared the motion passed.

FURTHER CONSIDERATION OF ITEMS PRESENTED ON THE CONSENT AGENDA

5i. RESOLUTION #04-2952: Resolution Opposing Development of Properties in Unincorporated Barrington Township

Gene Dawson, Barrington Township Supervisor, 602 S. Hough St commented on the history of specific properties in Unincorporated Barrington Township that were platted in 1925 and are today under water and serve as water retention areas that drains into Flint Creek. Mr. Dawson reported that the Army Corps of Engineers were asked to determine if the property was environmentally sensitive and under their jurisdiction. Mr. Dawson added that the Army Corps did indicate that the land is environmentally sensitive. Mr. Dawson went on to say that to prevent further flooding, the land should not be developed.

Recommended changes to the language of the Resolution were then reviewed. Clarification on the need for the changes was requested. It was noted that the changes were being recommended to make it clear that due to these drainage and other concerns the Village's position was that no development should be allowed to occur on this property, noting that the current language might lead someone to believe that some level of development was acceptable.

Clarification as to which letter would be sent was requested.

MOTION: A motion was duly made by Trustee Raseman and seconded by Trustee Yeagley to pass the version of the Resolution with the revised provisions submitted by Trustee Yeagley listed as Item #5i (including the revised letter dated February 9th attached thereto).

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

NEW BUSINESS

6a. MOTION: On behalf of the defendants, Trustee Karen Darch is hereby authorized to sign all relevant pleadings and instruments in the matter of the case of Reagle v. Darch et. al. filed in the Circuit Court of Cook County, Illinois, County Department, Chancery Division as case No. 03 CH 21181

MOTION: A motion was duly made by Trustee Daluga and seconded by Trustee Raseman to pass, as presented, the Motion listed as Item 6a.

Clarification from Attorney Springer on this action was requested. Mr. Springer declined to respond, stating that he is not representing the Board on this matter.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, nay; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

6b. ORDINANCE #04-3122: An Ordinance Granting a Special Use Permit for an Automobile Rental Facility

Jeff O'Brien commented on the Ordinance Granting a Special Use Permit for an Automobile Rental Facility. He noted that the Zoning Board of Appeals had unanimously supported the petition, noted that the staff also supported the approval of this special use permit. Jeff O'Brien commented that parking for the Automobile Rental Facility will be limited to a total of ten spaces including spaces for employee parking.

It was suggested that language be added to clarify that the Automobile Rental Facility could not be used to service vehicles. Mr. O'Brien stated that the Zoning Board chose not to add that language, but that Village Ordinance restricts the type of vehicle service activities that can be performed on the property.

A change to the language restricting the use of the spaces available to the Automobile Rental Facility was also suggested. The specific language proposed to limit the number of parking spaces was then introduced.

Further discussion on this item followed. The owner of the property, Mike Goodman, 318 West Northwest Highway, was then asked to address the issue of parking on the property.

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Daluga to pass, as presented, the Ordinance listed as Item 6b.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

6c. RESOLUTION #04-2953: First Amendment to Resolution No. 1386 (Resolution Designating Signatories)

MOTION: A motion was duly made by Trustee Raseman and seconded by Trustee Yeagley to pass, in its revised form presented at the dais, Resolution #04-2953.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

PAYMENT OF BILLS:

WARRANTS' LIST – 2/9/04 - \$106,640.05 (GENERAL) 2003 EXPENSES

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Yeagley to approve the payment of the bills included on the voucher listing for the period ending 2/9/04 - \$106,640.05 (GENERAL) 2003 EXPENSES.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

WARRANTS' LIST – 1/30/04 - \$10,005.00 (125 REIMBURSEMENT)

MOTION: A motion was duly made by Trustee Yeagley and seconded by Trustee Schaefer to approve the payment of the bills included on the voucher listing for the period ending 01/30/04 - \$10,005.00 (125 REIMBURSEMENT).

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

WARRANTS' LIST – 2/10/04 - \$121,498.28 (GENERAL) 2004 EXPENSES

MOTION: A motion was duly made by Trustee Raseman and seconded by Trustee Yeagley to approve the payment of the bills included on the voucher listing for the period ending 2/10/04 - \$121,498.28 (GENERAL) 2004 EXPENSES.

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, aye; Trustee Daluga, aye. President Reagle declared the motion passed.

WARRANTS' LIST – 2/10/04 - \$229.52 (COMED)

Trustee Hunt noted for the record that, due to a conflict of interest, he was recusing himself from deliberation on this matter in any way.

MOTION: A motion was duly made by Trustee Raseman and seconded by Trustee Schaefer to approve the payment of the bills included on the voucher listing for the period ending 2/10/04 - \$229.52 (COMED).

ROLL CALL: Trustee Darch, aye; Trustee Schaefer, aye; Trustee Raseman, aye; Trustee Yeagley, aye; Trustee Hunt, recused; Trustee Daluga, aye. President Reagle declared the motion passed.

COMMENTS – “ROUND THE TABLE”

Trustee Darch wished everyone a Happy Valentines Day and reminded residents that Saturday, February 14 was also the date of the Have a Heart food drive.

Trustee Schaefer stated that he was pleased to see the Board’s unanimous support of wetland management and Public Safety enhancements. Trustee Schaefer echoed President Reagle comments regarding the need for residents to step forward and volunteer to service.

Trustee Raseman echoed the comments of President Reagle, encouraging residents to volunteer for various Boards and Commissions and asked that information regarding qualifications for serving on the various Board and Commissions be added to the Village website and to Channel 4. Trustee Raseman stated that she is disappointed with the rising legal costs that are being incurred to defend the Board against lawsuits.

Trustee Yeagley reminded residents that volunteers for the various Boards and Commissions will have support from other Board members as well as Staff, noting that she would like to see those residents who love Barrington consider volunteering to serve. Trustee Yeagley added that she attended a recent concert at Barrington High School and urged residents to take advantage of the wonderful musical entertainment that is provided through the schools.

Trustee Hunt agreed with other Trustees comments and urged Village residents to stay warm.

Trustee Daluga commented on his belief that the Minutes of the Village Board are prepared fairly and are not biased.

President Reagle commented on the platform that he ran on when elected to the Board, noting that he supported the repeal of Utility Taxes and as such had chosen not to sign the Ordinances.

ADJOURNMENT

MOTION: A motion was duly made by Trustee Darch and seconded by Trustee Yeagley to adjourn the Regular Meeting of the President and Board of Trustees.

A voice vote was then called following which President Reagle declared the motion to adjourn had been unanimously adopted and the meeting was adjourned. The time was 10:30 p.m., Monday, February 09, 2004.

Ron Koppelman, Village Clerk